

TOWN MANAGER
Ken Deal

TOWN CLERK
Pamela Mills

TOWN ATTORNEY
Tom Brooke



MAYOR
Lee Withers

TOWN COUNCIL
Arthur Heggins
Brandon Linn
Rodney Phillips
Charles Seaford
Steve Stroud

CHINA GROVE PLANNING BOARD MEETING
Minutes of Regular Meeting
Thursday, February 21, 2019

The China Grove Planning Board met on Thursday, February 21, 2019 at 7:00 PM at the China Grove Town Hall, 333 North Main Street, China Grove, North Carolina.

Planning Board Members Present: David Morton, Chairman
Butch Bivens, Vice Chairman
Jason Higgins
Jason Hinson
Brie Bivens-Hager

Planning Board Members Absent: Natalie Morgan
Rodney Phillips

Staff Present: Pamela Mills, Town Clerk
Franklin Gover, Assistant Town Manager

Visitors: Steve Souder, Craig Isaac

Roll Call and Recognition of Quorum

Chairman Morton called the meeting to order at 7:00 PM. The presence of a quorum was recognized at that time.

Approval/ Corrections of Minutes

Mr. Higgins made the motion to approve the December 13th, 2018 minutes. Mrs. Bivens-Hager seconded the motion, which carried unanimously.

Adoption of Agenda

Chairman Morton amended the agenda with the addition of Item b to Other Business to amend the meeting schedule for March and April due to a schedule conflict. Mr. Hinson made the motion to adopt the agenda. Mr. Higgins seconded the motion, which carried unanimously.

Public Comment

Joe Miller – Patterson Street ETJ

He stated he had asked about building on property that he owns in the ETJ a couple of months ago and have not heard back. He asked for an answer to his question. Chairman Morton stated the board has had conversation of this property and the question at hand. He asked Mr. Gover to explain the situation. Mr. Gover stated the property is located on a private road and subdividing the property would cause some

peace's to not have public road frontage. He stated China Grove does not allow new private residential streets, nor do we allow for subdivisions to be off of those type of streets. He stated the only way we could allow for this is by a text amendment. He stated the board would have to approve the amendment. He stated after talking to the Town Attorney and the Planning Board it could be denied. Mr. Miller asked for a formal denial letter. Mr. Gover stated he discuss the process after the meeting.

2018-CUP-05

Mr. Gover stated the applicant is requesting a Conditional Use Permit to allow an auto sales use, SIC 5521, in a Highway Business (HB) District on Rowan County Tax Parcel 103 100. He stated the property is located at 750 East Centerview Street. He stated the business would be located in an existing carwash structure converted into an office and garage bays. He stated this project would be located in an existing shopping center which includes office spaces and a massage studio. He stated March of 2018 a zoning permit was issued to Landlogics Construction to complete the conversion of the carwash to small office spaces. He stated construction was not completed and the applicant decided to change the plans to automobile sales. He stated automobile sales and storage are conditional uses within the HB District. He stated the dumpster would be relocated and placed in an enclosure that meets our standards. He stated there is type B landscaping and a canopy tree around the parking lot. He stated the site plan shows the window and door percentage up to the required amount. He stated the garage doors will have windows on the third panel up and does not count towards the percentage for windows and doors. He stated this would have to be approved as an alternative material.

Chairman Morton stated this came before the TRC meeting. Mr. Souder stated the tenant needs an office and storage for cars inside the bays. He stated they are allowing six parking spaces to display the vehicles that are for sale and the tenant agreed to that. Mr. Morton asked if six vehicles would be on display at all times. Mr. Souder stated up to six cars could be displayed but no more then six.

Mr. Hinson asked if the six parking spaces that vehicles would be displayed in be the only parking spaces for the business. Mr. Gover stated there are fourteen parking spaces with one handicap.

Chairman Morton stated this site was poorly developed from the beginning. He stated he thought the individual offices spaces was a great idea. He stated he has concerns of this site being a car lot. He stated his concern is the site turning into a mini warehouse. Mr. Higgins stated with the resent amendments to the mini warehouse ordinance he feels this could not happen.

Mr. Souder stated they marketed this space as office space for eight months with no interest. He stated they own several businesses like the car lot and feel it would be a successful business.

Mr. Higgins made a motion to recommend approval 2018-CUP-05 to allow an auto sale (SIC 5521) use in a Highway Business (HB) District on Tax Parcel 103 100 and allow the use of the garage door glass as an alternative material to meet the window requirement. Mr. Hinson seconded the motion, which was carried with a vote of 4-1, Chairman Morton opposed.

2019-CUP-01 & 2019-SP-01

Chairman Morton stepped aside since he is the engineer on the site plan.

Mr. Gover stated the applicant is requesting a Conditional Use Permit to allow for ATV sales and service (SIC 5571) use in a Highway Business (HB) District on Rowan County Tax Parcel 117 022. He stated the property is located at 162 Shue Road. He stated the applicant plans to have two businesses on the site, a real estate office and the ATV sales and service. He stated January of 2017 the Town Council approved 2017-CUP-01 that allowed for outdoor storage of recreational vehicles, and an auto service use within a HB district. He stated a zoning permit was never issued and the site plan was not developed as proposed.

He stated the site plan did meet the minimum requirements but it was never fulfilled. He stated missing elements include missing fencing and inadequate vegetative screening. He stated the submitted site plan has changed slightly to accommodate different uses. He stated the minimum required parking spaces has changed, six are required. He stated the landscaping has been modified to specify the width of the planting beds and a wooden fence has been added to the side yard. He stated an eight-foot metal fence is shown on the rear of the property. He stated there is no storage allowed in the rear of the property. He stated a dumpster area is included for future development if needed. He stated the real estate office is permitted by right and will occupy the first section of the building.

Mrs. Revis asked what type of metal fencing is required. Chairman Morton stated the original plan was a metal panel fence.

Mr. Bivens opened the courtesy hearing.

Karen Galloway - 290 Shue Road

She stated she owns the 16 acres with the private resident that are adjoined to this parcel. She stated she wants the fence built this time to separate the properties for safety reasons. She stated she has no problem with the business.

Mr. Bivens closed the courtesy hearing.

Mrs. Bivens-Hager made a motion to recommend approval 2019-CUP-01 to allow an ATV sales and service use in the HB District on Tax Parcel 117 022. Mr. Hinson seconded the motion, which was carried unanimously.

Mrs. Bivens-Hager made a motion to approval Major Site Plan 2019-SP-01. Mr. Higgins seconded the motion, which was carried unanimously.

Other Business

a. Text Amendment Discussion

i. Chapter 11 - Digital Message Board Signs

Mr. Gover stated he emailed a model ordinance of digital billboard signs to the board. He stated this is a great resource for digital signs. He stated the Town Council is considering digital message signs and the Planning Board and himself need to review the ordinance to make sure it is approved. He showed examples of digital signs and discussed issues. He stated the digital boards could cause issues with adjacent properties due to the flashing lights and brightness. He stated if we think we would want to allow these signs we would need to regulate the brightness, the transition period and if we would limit to a specific district. He stated he does not recommend changes to the size of the signs.

ii. Chapter 3 – Lake Fisher Water Supply Watershed Ordinance Amendment

Mr. Gover stated we are effected by watershed 4 that feeds lake fisher. He stated this amendment would limit the density of the built upon area of a property. He stated there is a 10/70 rule, 10% of the watershed can be developed up to 70% built upon. He stated he is working with the state to come up with a high-density option.

iii. Chapter 8 – Phase II Stormwater Ordinance Update

Mr. Gover stated there is a section in the UDO that needs to be updated. He handed out a draft.

b. Amend Meeting Schedule due to conflicts

Mr. Gover stated he will be attending school in Chapel Hill in March and April on the week Planning Board falls. He stated in March he would like to hold it on March 21st but he is not certain of a date for April.

Mrs. Bivens-Hager made the motion to amend the Planning Board meeting schedule to hold the March meeting on March 21st. Mr. Higgins seconded the motion, which was carried unanimously.

Adjourn

Mr. Higgins made the motion to adjourn. Mr. Bivens seconded the motion, which was carried unanimously.

David Morton
Chairman

Pamela L. Mills, CMC
Town Clerk